

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:06-CR-37-D
No. 7:11-CV-235-D

MARCUS ANTWYN JENKINS,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)
)

ORDER

On November 14, 2011, Marcus Antwyn Jenkins filed a motion to vacate his conviction [D.E. 36]. On December 5, 2011, Jenkins filed the motion on the correct form [D.E. 40]. On August 16, 2012, counsel filed a memorandum in support [D.E. 42]. On December 20, 2012, the court ordered the United States to respond [D.E. 43]. On January 7, 2013, the United States responded in support of Marcus Antwyn Jenkins's motion to vacate his conviction [D.E. 44]. The court has reviewed the entire record and GRANTS the motion to vacate [D.E. 36, 40]. Jenkins's conviction in this case [D.E. 32] is VACATED. The motion to appoint counsel [D.E. 37] is dismissed as moot.

SO ORDERED. This 7 day of May 2013.


JAMES C. DEVER III
Chief United States District Judge